



# PLANNING COMMISSION AGENDA

LEE BRAND, Chair

Commission Members  
CHARLES VANG, Vice Chair  
LORI CHERRY  
NAT DIBUDUO  
HAL KISSLER  
ROJELIO VASQUEZ

Planning and Development  
Director/Secretary  
NICK P. YOVINO

Deputy City Attorney  
KATHRYN C. PHELAN

*The Planning Commission welcomes you to this meeting.*

November 3, 2004

Wednesday

6:00 p.m. to 9:30 p.m.

COUNCIL CHAMBER

2600 FRESNO STREET

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development staff at 621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those in attendance at the Planning Commission meeting.

## I. ROLL CALL

## II. PLEDGE OF ALLEGIANCE

## III. PROCEDURES

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all testimony given will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating that time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

#### **IV. AGENDA APPROVAL**

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

#### **V. CONSENT CALENDAR**

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

##### **A. Minutes**

##### **B. Communications**

##### **C. Entitlements**

1. Consideration of further continuation of the court-ordered rescission of Conditional Use Permit Application No. C-00-181 to revoke a special permit and its related finding of Mitigated Negative Declaration, which were previously approved by the Planning Commission on October 17, 2001, to allow West Coast Waste, Inc., (Dennis Balakian) to operate a wood and green waste recycling operation. ***(Continued from meetings of October 6 and 20, 2004.)***

#### **VI. REPORTS BY COMMISSIONERS**

#### **VII. CONTINUED MATTERS**

- A. Consideration of Conditional Use Permit Application No. C-04-153, Vesting Tentative Tract Map No. 5205/UGM and environmental findings, filed by Copper River Ranch for 574 acres of property located on the north side of East Copper Avenue between North Friant Road and North Willow Avenue. ***(Continued from meeting of October 20, 2004.)***
  1. Environmental Assessment No. C-04-153, T-5205, determination of Initial Study to file a Mitigated Negative Declaration.

2. Conditional Use Permit Application No. C-04-153, proposes to establish a set of development standards with respect to the overall Project 'Theme' such as landscaping, signage, street furniture and lighting, project trails and architectural theme; Community Services; Copper River Policies dealing with residential density transfers, mixed use development, commercial parking, neighborhood electric vehicles and water well sites; Issues regarding circulation/transportation, maintenance, urban growth management, and a development agreement. The conditional use permit will also allow for reduced lot sizes in specified areas of the subdivision and modified street design standards for several streets within the Copper River Ranch project area.
3. Vesting Tentative Tract Map No. 5205/UGM, proposes to subdivide the entire 574-acre site into an 829-lot single family residential planned development subdivision within 8 single family villages with 45 outlots for future multiple family residential development, open space, and commercial uses.
  - Woodward Park Community Plan Area
  - Council District 6 (Councilmember Duncan)
  - Staff Member: Michael Sanchez
  - Staff Recommendation: Approve conditional use permit application and vesting tentative tract map
  - May be considered by City Council

#### **VIII. NEW MATTERS**

- A. Consideration of Plan Amendment Application No. A-04-07, Rezone Application No. R-04-18, Vesting Tentative Tract Map No. 5316/UGM, and environmental findings. These applications have been filed by Central Valley Land Development LLC for 58.5± acres located on the south side of West Dakota Avenue between North Polk and North Hayes Avenues.
  1. Environmental Assessment No. A-04-07, R-04-18, T-5316, determination of Initial Study to file a Mitigated Negative Declaration.
  2. Plan Amendment Application No. A-04-07, proposes to amend the 2025 Fresno General Plan and the West Area Community Plan urban form element land use diagram for the 10 acres at the southeast corner of West Dakota and North Hayes Avenues from medium-high density residential land use to medium density residential land use.
  3. Rezone Application No. R-04-18, proposes to rezone the entire 58.5± acres from County RR (*Rural Residential District*) zone district to City R-1/UGM (*Single Family Residential District/Urban Growth Management Area*) zone district.
  4. Vesting Tentative Tract Map No. 5316/UGM, proposes to subdivide this 58.5± acres into 254 single family parcels and to install related public facilities and infrastructure. This property will require annexation prior to development.
    - West Area Community Plan
    - Council District 1 (Councilmember Boyajian)
    - Staff Member: Sandra Brock
    - Staff Recommendation: Approve vesting tentative tract map; Recommend Approval of plan amendment and rezone applications

- Will be considered by City Council (plan amendment and rezone applications)
- B. Consideration of Text Amendment No. TA-03-02 and environmental findings, initiated by the Planning and Development Department Director, amending the text of the Fresno Municipal Code Zoning Ordinance to permit a Second Dwelling in the Single Family Residential zone districts including local criteria for development, and amending numerous definitions related to dwellings and accessory buildings; and, clarifying, simplifying, and streamlining the procedures for processing special permits, especially how they are referred to City Council.
  1. Environmental Assessment No. TA-03-02, determination that pursuant to CEQA Guidelines, there is No Possibility of Significant Adverse Effect upon the environment.
  2. Text Amendment No. TA-03-02, as described above.
    - Citywide Application
    - Staff Member: David Stiglich
    - Staff Recommendation: Recommend Approval
    - Will be considered by City Council

**IX. REPORT FROM SECRETARY**

**X. UNSCHEDULED ORAL COMMUNICATIONS**

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

**XI. ADJOURNMENT**